

10/584507

IAP2 Rec'd PCT/PTO 23 JUN 2006

Customer No. 22,852  
Attorney Docket No. 05788.0399

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Giulia PIETRA, et al. )  
Application No.: Not Yet Assigned ) Group Art Unit:  
Filed: June 23, 2006 ) Examiner:  
For: **TUNABLE RESONANT** )  
**GRATING FILTERS** )

**U.S. National Phase of International Application No.**  
**PCT/EP2003/014917**

**MAILSTOP PCT**

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed foreign patent documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following is listed on the accompanying PTO/SB/08 and is in a non-English language:

1. Japanese Patent Application No. JP 63-244004 - The relevance of this document is discussed at page 3 of the specification of the present application.

In lieu of a statement of relevance or the translation of the non-English document, enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing this document and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2006  
By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/rac

10/584507

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	
Sheet	1	of	1	Filing Date	June 23, 2006
				First Named Inventor	Giulia PIETRA
				Art Unit	
				Examiner Name	
				Attorney Docket Number	05788.0399

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,193,130	03-09-1993	NISHIWAKI, ET AL.	
		US-6,215,928 B1	04-10-2001	FRIESEM, ET AL.	
		US-5,337,183	08-09-1994	ROSENBLATT	
		US-6,205,159	03-20-2001	SESKO, ET AL.	
		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
		WO 02/084824 A1	10-24-2002	HOOSE, ET AL.	
		JP 63-244004	10-11-1998		NO

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation <sup>6</sup>

Examiner Signature		Date Considered	
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